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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,752	04/13/2004	Katsuhito Sasaki	OKI.624	4642
20987	7590	06/01/2005	EXAMINER	
VOLENTINE FRANCOS, & WHITT PLLC ONE FREEDOM SQUARE 11951 FREEDOM DRIVE SUITE 1260 RESTON, VA 20190			LANDAU, MATTHEW C	
			ART UNIT	PAPER NUMBER
			2815	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/822,752	Applicant(s) SASAKI, KATSUHITO	
	Examiner Matthew Landau	Art Unit 2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/13/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION***Drawings***

Figures 3(a)-3(c) should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-5 are objected to because of the following informalities:

Regarding claim 1, the limitation "at least, one ends thereof" is objected to. It is suggested the limitation be changed to "at least, one end ~~ends~~ thereof". Furthermore, there is insufficient antecedent basis for "the drain electrode". Also, the limitation "at least one sides on the drain electrode" should be changed to "at least one side ~~sides~~ on the drain electrode". Note that claim 3 has similar problems. Further regarding claim 1, the limitation "which overlap on" should be changed to "which overlap with the gate electrode on".

Appropriate correction is required.

Allowable Subject Matter

Claims 1-5 would be allowable if rewritten or amended to overcome the claim objections set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1, the prior art of record, either singularly or in combination, does not disclose or suggest the combination of limitations including effecting heat treatment to activate the impurity and integrating impurity regions in which the impurity is implanted in the slits, and impurity regions in the neighborhood of the slits, in which the impurity is implanted in portions outside the gate electrode, thereby forming a pair of second conductivity type layers which overlap on, at least one side on the drain electrode forming predeterminate side, of the gate electrode; and forming within the pair of second conductivity type layers, a pair of second conductivity type high-density layers which are spaced away from the gate electrodes.

Regarding claim 3, the prior art of record, either singularly or in combination, does not disclose or suggest the combination of limitations including a gate electrode formed on the gate insulating film so as to connect the pair of second conductivity type layers and overlap with the second conductivity type layers on, at least, one side on the drain electrode forming predeterminate side, said gate electrode having slits at portions above ends of the overlapped second conductivity type layers; and a pair of second conductivity type high-density layers respectively formed within the pair of second conductivity type layers so as to be spaced away from the gate electrode.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,658,808 (Lin) – discloses a gate electrode etched into three different sections, thereby forming slits between the sections, wherein impurities are implanted in the slits.

US Patent 6,580,129 (Lui et al.) – discloses a gate electrode etched into two different sections, thereby forming a slit between the sections, wherein impurities are implanted in the slit.

This application is in condition for allowance except for the formal matters set forth above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Landau whose telephone number is (571) 272-1731.

The examiner can normally be reached from 8:30 AM - 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should any questions arise regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew C. Landau

Examiner

May 30, 2005


TOM THOMAS
SUPERVISORY PATENT EXAMINER